

Paris and to dispatch them to dungeons in Belarus if they were suspected of Chechen sympathies.

The vice president has maintained that the entire world is a battlefield. Accordingly, he contends that military power may be unleashed to kill or capture any American citizen on American soil if suspected of association or affiliation with al-Qaida. Thus, Mr. Cheney could have ordered the military to kill Jose Padilla with rockets, artillery, or otherwise when he landed at O'Hare Airport in Chicago, because of Padilla's then-suspected ties to international terrorism.

Mr. Cheney has championed a presidential power to torture in contravention of federal statutes and treaties.

He has advocated and authored signing statements that declare the president's intent to disregard provisions of bills he has signed into law that he proclaims are unconstitutional, for example, a requirement to obtain a judicial warrant before opening mail or a prohibition on employing military force to fight narco-terrorists in Colombia. The signing statements are tantamount to absolute line-item vetoes that the Supreme Court invalidated in the 1998 case *Clinton v. New York*.

The vice president engineered the National Security Agency's warrantless domestic surveillance program targeting American citizens on American soil in contravention of the Foreign Intelligence Surveillance Act of 1978. He concocted the alarming theory that the president may flout any law that inhibits the collection of foreign intelligence, including prohibitions on breaking and entering homes, torture, or assassinations. As a reflection of his power in this arena, today the Senate Judiciary Committee subpoenaed Cheney's office, as well as the White House, for documents that relate to the warrantless eavesdropping.

The vice president has orchestrated the invocation of executive privilege to conceal from Congress secret spying programs to gather foreign intelligence, and their legal justifications. He has summoned the privilege to refuse to disclose his consulting of business executives in conjunction with his Energy Task Force, and to frustrate the testimonies of Karl Rove and Harriet Miers regarding the firings of U.S. attorneys.

Cheney scorns freedom of speech and of the press. He urges application of the Espionage Act to prosecute journalists who expose national security abuses, for example, secret prisons in Eastern Europe or the NSA's warrantless surveillance program. He retaliated against Ambassador Joseph Wilson and his wife, Valerie Plame, through Chief of Staff Scooter Libby, for questioning the administration's evidence of weapons of mass destruction as justification for invading Iraq. Mr. Cheney is defending himself from a pending suit brought by Wilson and Plame on the grounds that he is entitled to the absolute immunity of the president established in 1982 by *Nixon v. Fitzgerald*. (Although this defense contradicts Cheney's claim that he is not part of the executive branch.)

The Constitution does not expressly forbid the president from abandoning his chief powers to the vice president. But President Bush's tacit delegation to Cheney and Cheney's eager acceptance tortures the Constitution's provision for an acting president. The presidency and vice presidency are discrete constitutional offices. The 12th Amendment provides for their separate elections. The sole constitutionally enumerated function of the vice president is to serve as president of the Senate without a vote except to break ties.

In contrast, Article II enumerates the powers and responsibilities of the president, including the obligation to take care that the

laws be faithfully executed. A special presidential oath is prescribed. Section 3 of the 25th Amendment provides a method for the president to yield his office to the vice president, when "he is unable to discharge the powers and duties of his office." There is no other constitutional provision for transferring presidential powers to the vice president.

Yet without making a written transmittal to Congress, President Bush has ceded vast domains of his powers to Vice President Cheney by mutual understanding that circumvents the 25th Amendment. This constitutional provision assures that the public and Congress know who is exercising the powers of the presidency and who should be held responsible for successes or failures. The Bush-Cheney dispensation blurs political accountability by continually hiding the real decision-maker under presidential skirts. The Washington Post has thoroughly documented the vice president's dominance in a four-part series running this week. It is quite a read.

In the end, President Bush regularly is unable to explain or defend the policies of his own administration, and that is because the heavy intellectual labor has been performed in the office of the vice president. Cheney is impeachable for his overweening power and his sneering contempt of the Constitution and the rule of law.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the Vice President.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WELCOME BACK SIMMONS COLLEGE OF KENTUCKY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

Mr. YARMUTH. Madam Speaker, I rise in recognition of one of the most storied institutions in Louisville's rich history on this day of its rebirth as an independent liberal arts institution, as it was intended.

Shortly after the end of the Civil War, 12 forward-thinking former slaves gathered in Louisville, united by the understanding that education would be key to prosperity as free people in America. The institution of higher learning that opened its door 14 years later in 1879 was unique in its commitment to African American education.

While many similar institutions were the result of the efforts of white missionaries working to give recently freed people the advantages of American society, Simmons, known at that time as the Kentucky Normal Theological Institute in Louisville, was created in a collaboration that bridged the racial divide. Black Baptists and white Baptists, recently freed and those born of privilege, worked hand in hand in pursuit of equality in education.

Early leaders at the school came with impressive Ivy League pedigrees, but as the strength of the institution increased, they turned more and more to alumni that came from within. By the early part of the 20th century, it was difficult to find a finer education than that offered at Simmons College, earning it the nickname: "The Black Harvard of the South."

Within four decades of its inception and a half century removed from slavery, Simmons embodied the dream and exceeded the expectations of the dozen visionaries who foresaw education as the tools for equality. Louisville's Simmons College was a liberal arts college of national renown.

But like so many others, the economic hardships of the Great Depression devastated the school. The properties succumbed to foreclosure and the institution lost its independence. Despite meeting tremendous adversity, the determination that led Simmons' inception and incredible ascent drove its journey onward.

For decades and under several names, the school continued to exist. Most recently, the school specialized in theology, expertly training pastors at Simmons Bible College at 18th Street and Dumesnil.

But, Dr. Kevin W. Cosby, the latest in a great tradition of Simmons leadership dating back to Elijah Marrs, William Simmons, and Charles Parish, has led the way to a full restoration of